

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 19-20472
Hon. Gershwin A. Drain

Christian Newby,

Defendant.

STIPULATION TO ADJOURN SENTENCING

It is hereby stipulated by and between the above Parties, through their respective counsel, as follows:

1. Sentencing in this case is currently scheduled for April 28, 2020.
2. The unprecedented and exigent circumstances created by COVID-19 and related coronavirus health conditions have created a health emergency throughout the United States and numerous foreign countries that has resulted in widespread societal disruption.
3. On March 10, 2020, Governor Gretchen Whitmer announced a state of emergency. President Donald Trump declared a national state of emergency on March 13, 2020.

4. On March 23, 2020, Governor Whitmer issued a stay at home order for all non-essential activity and businesses, which is scheduled to continue past the sentencing date in this case.
5. In order to slow the spread of the outbreak and lessen the load placed on our healthcare systems, various restrictions have been imposed on travel, access to public facilities, and government functions. As part of these efforts, on March 13, 2020, this court postponed indefinitely most in-court proceedings, including trials, before district judges and magistrate judges in the Eastern District of Michigan in all criminal (and civil) cases and matters, and it postponed indefinitely all grand jury proceedings in the Eastern District of Michigan. (*See* Administrative Order 20-AO-021).
6. This Order further reflected the reality that the court staff, the Court Security Officers, and the Marshals Service could not operate or provide access to in-court proceedings without jeopardizing their health and safety.
7. Continuing the sentencing permits defense counsel to safely confer with her client prior to the sentencing hearing, while also providing Mr. Newby an opportunity to physically appear in court.
8. Counsel for Mr. Newby represented to both the Court and the government that she had spoken with her client, and that he has no objection to continuing the

sentencing hearing. Rather, his preference is to conduct the hearing in person at a future date.

Accordingly, counsel for Newby and the government are requesting that the sentencing scheduled for April 28, 2020, be adjourned for a period of approximately 60 days.

Respectfully Submitted,

/s/ Robert J. White
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Penny R. Beardslee (w/ consent)
Penny R. Beardslee
Attorney for Christian Newby
Federal Community Defender

DATED: April 20, 2020

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ORDER ADJOURNING SENTENCING

Pursuant to the attached stipulation:

IT IS HEREBY ORDERED that Defendant Newby's sentencing is
adjourned to June 16, 2020 at 3:30 p.m.

Dated: April 22, 2020

s/Gershwin A. Drain
HON. GERSHWIN A. DRAIN
United States District Judge